

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Detroit District 4 October 2005

FILE NUMBER: 05-145-038-0

PROJECT REVIEW/DETERMINATION COMPLETED: In the office Y Date: 13 July 2005

At the project Y Date: 18 Aug 2005
site (Y/N)

PROJECT LOCATION INFORMATION:

State: Indiana
County: Lake
Center coordinates of site by latitude & longitude coordinates: lat:41-28-41.9880 lon:87-16-31.0080
Approximate size of site/property (including uplands) in acres 1 acre
Name of waterway or watershed: Unnamed creek / ditch

Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands	X								
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?				X	
¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.					

TYPE OF DETERMINATION: **Preliminary** **Or** **Approved X**

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite):

Wetland C is located east of the Lake Park Surgicare Building and is dominated by reed canary grass, common reed and cattail. This area is higher in elevation than the adjoining farm field and may receive storm water from the surrounding development.

Wetland C appears to be isolated as no connection was found to any of the surrounding unnamed creeks / ditches.

In order to make this determination, we utilized the report prepared by J.F. New, an NWI map, aerial photos, topos, soil surveys and a site inspection was conducted.

Wetland A, B, D, and E all connect to an unnamed creek / ditch, which eventually run into the Deep River and then the Little Calumet River.